



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

November 21, 2014
System No.: 5401053

Mr. Ilyas Almansur, Manager
ACID
1531 N. Main Street
Porterville, CA 93257

RE: **Citation No. 03-24-14C-030**
Violation of Title 22, California Code of Regulations, Section 64426.1,
For June and July 2014

Dear Mr. Almansur:

Enclosed is a Citation issued to the ACID (Water System) public water system.

The Water System will be billed at the Division's hourly rate (currently estimated at \$126.00) for the time spent on issuing this Citation. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the Division has spent approximately one and one half hours on enforcement activities associated with this violation.

The Water System will receive a bill sent from the Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent on ACID water system for the current fiscal year.

If you have any questions regarding this letter and the enclosed citation, please contact the Tulare District office at (559) 447-3300.

Sincerely,

Chad Fischer, P.E.
Senior Sanitary Engineer, Visalia District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

CF/SF
Enclosures
cc: Tulare County Environmental Health Services Division

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

IN RE: **ACID**
Water System No. 5401053

TO: Mr. Ilyas Almansur, Manager
ACID
1531 N. Main Street
Porterville, CA 93257

CC: Tulare County Environmental Health Services Division

CITATION FOR VIOLATION OF
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1
June and July 2014

Issued on November 21, 2014

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the ACID water system (hereinafter "Water System") (1531 N. Main Street, Porterville, CA 93257) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1.

1 **APPLICABLE AUTHORITIES**

2 The applicable statutes and regulations are provided in Appendix A, attached hereto and
3 incorporated by reference.

4
5 **STATEMENT OF FACTS**

6 The Water System is a transient water system serving a population of approximately fifty
7 (50) persons through one (1) service connection. Effective July 1, 2014 the Tulare County
8 Environmental Health Services Division (TCEHSD) transferred the jurisdictional regulatory
9 oversight for this water system to the Division. The Water System currently operates under
10 a water supply permit issued by the TCEHSD on November 5, 2013.

11
12 The Water System is required to collect a minimum of one (1) distribution system
13 bacteriological sample per quarter. The bacteriological water analysis results submitted by
14 the Water System reported the presence of total coliform bacteria in four (4) of ten (10)
15 samples collected in June 2014 and five (5) of eleven (11) samples collected in July 2014.
16 None of the positive samples showed the presence of fecal coliform or *E. coli* bacteria. All
17 water samples for coliform bacteria collected over the past year are summarized in
18 Attachment A.

19
20 Upon being informed of the presence of total coliform bacteria in four (4) routine samples
21 collected on June 12, 2014, Water System staff collected a total of five (5) repeat samples
22 on June 30, 2014. None of the repeat samples showed the presence of total coliform
23 bacteria. The well was also sampled on June 12, 2014, and analytical results were
24 negative for total coliform and *E. coli* bacteria. Due to the above-mentioned total coliform
25 positive samples, the Water System failed the total coliform MCL for the month of June
26 2014.

1 After being informed of the presence of total coliform bacteria in the June 12, 2014
2 samples, the Division instructed the Water System to consult with a certified water operator
3 to resolve the bacteriological issues. The Water System provides for continuous
4 chlorination of the distribution system. The certified water operator indicated that three of
5 the filters in the Water System's reverse osmosis unit needed replacing. The certified
6 water operator advised the Water System to replace the filters then run the units for one
7 hour each day, and collect repeat samples after one week. Repeat samples were
8 collected on June 30, 2014, and were negative for both total coliform and *E. coli* bacteria.

9
10 On July 21, 2014, five (5) routine distribution system samples were collected, and the
11 results for all five (5) samples were positive for total coliform bacteria and negative for *E.*
12 *coli*. The well was also sampled, and results were negative for total coliform and *E. coli*
13 bacteria. Five (5) repeat samples were collected from the distribution system on July 28,
14 2014. None of the repeat samples showed the presence of total coliform or *E. coli*
15 bacteria. Due to the above-mentioned total coliform positive samples, the Water System
16 also failed the total coliform MCL for the month of July 2014.

17
18 This is the third time the Water System has failed the total coliform MCL in the past year.
19 On April 29, 2014 a routine distribution system sample tested positive for total coliform
20 bacteria. Before repeat samples could be collected in response to the positive sample, the
21 Water System experienced problems with the well, causing a loss of system pressure. In
22 response to the loss of pressure, TCEHSD instructed the Water System to issue an Unsafe
23 Water Alert (Attachment B). The alert was issued on May 8, 2014.

24
25 After the well was repaired, follow-up samples were collected from the distribution system.
26 Three (3) out of the four (4) samples collected on May 19, 2014 were positive for total
27 coliform bacteria, thus causing the Water System to fail the total coliform MCL for May

1 2014. Citation No. 2014-033 was issued by TCEHSD on June 23, 2014 in response to the
2 May 2014 total coliform MCL failure.

3
4 Due to the June and July 2014 total coliform MCL failures, the Water System was
5 instructed to collect two (2) routine distribution system samples in August 2014. **Because**
6 **the results of these samples did not show the presence of total coliform or *E. coli***
7 **bacteria, the Unsafe Water Alert is formally lifted.** The Division waived the requirement
8 for the Water System to collect five (5) routine samples in August 2014.

9
10 The Water System notified the Division of the total coliform MCL failures on June 16 and
11 July 22, 2014.

12 13 DETERMINATION

14 Title 22, CCR, Section 64426.1, Total Coliform Maximum Contaminant Level (MCL)
15 provides that a public water system that collects fewer than 40 bacteriological samples per
16 month has violated the regulation if more than one (1) sample collected during any month
17 is total coliform-positive.

18
19 The Division has determined that the Water System failed to comply with Title 22, CCR,
20 Section 64426.1, Total Coliform MCL for the month of June 2014 due to the presence of
21 total coliform bacteria in four (4) of ten (10) samples collected in June 2014. The Division
22 has determined that the Water System also failed to comply with Title 22, CCR, Section
23 64426.1, Total Coliform MCL for the month of July 2014 due to the presence of total
24 coliform bacteria in five (5) of eleven (11) samples collected in July 2014.

DIRECTIVES

The Water System is hereby directed to take the following actions:

1. Comply with Title 22, CCR, Section 64426.1, in all future monitoring periods.
2. By **January 1, 2015**, the Water System shall provide to the Division certification of public notification using the enclosed Proof of Notification form (Attachment C).
3. By **January 1, 2015**, the Water System shall complete and submit the enclosed "Positive Total Coliform Investigation" form to the Division that describes the incident and all corrective actions taken, and the results of the investigation. The appropriate investigation report is provided as Attachment D.

The Division reserves the right to make such modifications to the Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the Water System of its obligation to meet the requirements of the California Safe Drinking Water Act or any regulation, standard, permit or order issued thereunder.

All submittal required by this Citation shall be submitted to the Division at the following address:

Chad Fischer, P.E.
Senior Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

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PARTIES BOUND

This Citation shall apply to and be binding upon the ACID water system, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

1 **FURTHER ENFORCEMENT ACTION**

2 The California SDWA authorizes the Board to: issue citation with assessment of
3 administrative penalties to a public water system for violation or continued violation of the
4 requirements of the California SDWA or any permit, regulation or order issued or adopted
5 thereunder including, but not limited to, failure to correct a violation identified in a citation or
6 compliance order. The California SDWA also authorizes the Board to take action to
7 suspend or revoke a permit that has been issued to a public water system if the system
8 has violated applicable law or regulations or has failed to comply with an order of the
9 Board; and to petition the superior court to take various enforcement measures against a
10 public water system that has failed to comply with an order of the Board. The Board does
11 not waive any further enforcement action by issuance of this citation.

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13
14 11/21/14

15 Date

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Chad Fischer, P.E.
Senior Sanitary Engineer, Visalia District
DRINKING WATER FIELD OPERATIONS BRANCH



25 **CF/SF**

26 **Attachments:**

26 Attachment A: Summary of bacteriological samples collected over the past year
27 Attachment B: Unsafe Water Alert
Attachment C: Proof of Notification Form
Attachment D: Positive Total Coliform Investigation

APPENDIX A

Applicable Statutes and Regulations for Citation No. 03-24-14C-030

Section 116650 of the CHSC states in relevant part:

§116650. Citations

- (a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the Division may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The Division may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Section 64426.1 of Title 22, California Code of Regulations (CCR) states in relevant part:

§64426.1. Total Coliform Maximum Contaminant Level (MCL).

- (a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the Department or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in §64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.
- (b) A public water system is in violation of the total coliform MCL when any of the following occurs:
 - (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
 - (2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
 - (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
 - (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.
- (c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the Department by the end of the business day on which this is determined, unless the determination occurs after the Department office is closed, in which case the supplier shall notify the Department within 24 hours of the determination. The water supplier

shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1.

Bacteriological Distribution Monitoring Report

5401053 ACID
Distribution System Freq: 1/Q

Sample Date	Location	T Coli	E Coli	F Coli	HPC	Type	Cl2	Cl2 Avg	Viol. Type	GWR Satisfied?	Comments
8/28/2014	Bar 1	A	A			Routine					
8/28/2014	Kitchen	A	A			Routine					
7/28/2014	Bar 1	A	A			Repeat					
7/28/2014	Bar 2	A	A			Repeat					
7/28/2014	Bathroom 1	A	A			Repeat					
7/28/2014	Bathroom 2	A	A			Repeat					5 routines waived for Aug - only 2 required
7/28/2014	Kitchen	A	A			Repeat					
7/21/2014	Bar 1	P	A			Routine					
7/21/2014	Bar 2	P	A			Routine					
7/21/2014	Bathroom 1	P	A			Routine			MCL		Citation 03-12-14C-013 June & July
7/21/2014	Bathroom 2	P	A			Routine					
7/21/2014	Kitchen	P	A			Routine					
6/30/2014	Bar 1	A	A			Repeat	0.5				
6/30/2014	Bar 2	A	A			Repeat	0.5				
6/30/2014	Kitchen	A	A			Repeat	0.5				
6/30/2014	Bathroom 1	A	A			Repeat	0.5				
6/30/2014	Bathroom 2	A	A			Repeat	0.5				
6/12/2014	Bar 1	P	A			Routine					
6/12/2014	Bar 2	P	A			Routine			MCL		Citation 03-12-14C-013 June & July
6/12/2014	Kitchen	P	A			Routine					
6/12/2014	Bathroom	P	A			Routine					

Violation Key

MCL	Exceeds the maximum contaminant level	MR5	Incorrect number of repeat samples as follow-up to a positive sample
MR1	No monthly sample for the report month	MR6	No source sample
MR2	No quarterly sample for the report month	MR7	No summary report submitted
MR3	Incorrect number of routine samples for the report month	MR8	Other comments and/or info
MR4	Did not collect 5 routine samples for previous month's positive sample	MR9	Cl2 not reported

Source Bacteriological Monitoring Report

5401053 ACID

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>Sample Type</i>	<i>Test Method</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>HPC</i>	<i>Violation</i>	<i>Comments</i>
8/28/2014	12:00	Well	Well	P/A	A	A				
7/21/2014	3:40	Well	Well	P/A	A	A				
6/12/2014	3:05	Well	Well	P/A	A	A				Collected as part of "5" routines the month following a positive sample

Date: 5/8/14

UNSAFE WATER ALERT

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Acid Water System

DO NOT DRINK WATER NOTICE

Failure to follow this advisory could result in illness.

On May 8, 2014 the water system lost pressure. Tulare County Environmental Health Services Division and Acid Water System are advising costumers of Acid Water System to not use the water once water has returned to the lines.

Boiling can kill harmful organisms that might be present in the water following the repairs and prior to proper disinfection of the system. However, because the water system has nitrate levels above the Maximum Contaminant Level, boiling the water should be avoided. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates. Nitrate in drinking water is a serious health concern, especially for infants less than six months old and pregnant women.

What should I do?

- **DO NOT DRINK YOUR TAP WATER---USE ONLY BOTTLED WATER.**

What is being done?

- The pump is being worked on. Water Samples will be collected for bacteriological analyses once water returns to the lines.

We will inform you when tests show that the water is bacteriologically safe.

For more information call:

Water Utility contact: ILYAS ALMANSUR

California Department of Public Health at: [Tricia Wathen, District Engineer, 559-447-3300].

Tulare County Environmental Health Services Division at 559-624-7400.

This notice is posted by the Acid Water System, California Public Water System ID # 5401053. Date Distributed: 5/8/2014.



Last updated - 5/8/14

PROOF OF NOTIFICATION
(Return with copy of the Notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **ACID water system** of the failure to meet the **total coliform bacteria MCL** for the months of **June and July 2014** as directed by the Department. At least one primary distribution method is required: mail, hand-delivery or posting in conspicuous locations. A second method is also required in order to reach persons not likely to be reached by a mailing, direct delivery or posting:

Notification was made on _____.
(date)

To summarize report delivery used and good-faith efforts taken, please check all items below that apply and fill-in where appropriate:

- ☐ The notice was distributed by mail delivery to each customer served by the water system.
- ☐ The notice was distributed by direct delivery to each customer served by the water system. Specify direct delivery method(s) used: _____
- ☐ Publication of the notice in a local newspaper or newsletter of general circulation (attach a copy of the published notice, including name of newspaper and date published).
- ☐ Posted the notice at the following conspicuous locations served by the water system (if needed, please attach a list of locations). _____
- ☐ Email message to employees or students. _____
- ☐ Other method used to notify customers. _____

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Certified by Name and Title: _____

Date: _____ Signature: _____

Due to the Dept. of Health Services within 10 days of notification to the public
Total Coliform MCL Failure / Enforcement Action No.: 03-24-14C-030

POSITIVE TOTAL COLIFORM INVESTIGATION

Simple Well with Pressure Tank Systems

This form is intended to assist public water systems in completing the investigation required by the Division of Drinking Water (Section 64426(b) of Title 22, California Code of Regulations) and may be modified to take into account conditions unique to the system.

ADMINISTRATIVE INFORMATION

PWS Name:		PWSID NUMBER:	
Name		Address	
Operator in Responsible Charge (ORC)		Telephone #	
Person that collected TC samples if different than ORC			
Owner			
Certified Laboratory for Microbiological Analyses			
Date Investigation Completed:			
Month(s) of Total Coliform MCL Failure:			

INVESTIGATION DETAILS

SOURCE	WELL (name)	WELL (name)	WELL (name)	WELL (name)	COMMENTS
1. Inspect each well head for physical defects and report					
a. Is raw water sample tap upstream from point of disinfection?					
b. Is wellhead vent pipe screened?					
c. Is wellhead seal watertight?					
d. Is well head located in pit or is any piping from the wellhead submerged?					
e. Does the ground surface slope towards well head?					
f. Is there evidence of standing water near the wellhead?					
g. Are there any connections to the raw water piping that could be cross connections? (describe all connections in comments)					
h. Is the wellhead secured to prevent unauthorized access?					
i. To what treatment plant (name) does this well pump?					
j. How often do you take a raw water total coliform (TC) test?					
k. Provide the date and result of the last TC test at this location					

DISTRIBUTION SYSTEM

SYSTEM RESPONSES

1. What is the minimum pressure you are maintaining in the distribution system?
2. Did pressure in the distribution system drop to less than 5 psi prior to experiencing the TCR positive finding.

POSITIVE TOTAL COLIFORM INVESTIGATION

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DISTRIBUTION SYSTEM	SYSTEM RESPONSES
3. Has the distribution system been worked on within the last week? (service taps, hydrant flushing, main breaks, main extensions, etc.) If yes, provide details.	
4. Are there any signs of excavations near your distribution system not under the direct control of your maintenance staff?	
5. Did you inspect your distribution system to check for mainline leaks? Do you or did you have a mainline leak?	
6. If there was a mainline leak, when was it repaired?	
7. On what date was the distribution system last flushed?	
8. Is there a written flushing procedure you can provide for our review?	
9. Do you have an active cross connection control program?	
10. What is name and phone number of your Cross-Connection Control Program Coordinator?	
11. Is the review and testing of backflow prevention devices current?	
12. On what date was the last physical survey of the system done to identify cross-connections?	

SAMPLE SITE EVALUATION (Complete for all TC+ or EC+ findings)	Routine Site TC+ or EC+	Upstream Site	Downstream Site	Sample 4 (specify)
1. What is the height of the sample tap above grade? (inches)				
2. Is the sample tap located in an exterior location or is it protected by an enclosure?				
3. Is the sample tap threaded, have a swing arm (kitchen sink) or aerator (sinks)?				
4. Is the sample tap in good condition, free of leaks around the stem or packing?				
5. Can the sample tap be adjusted to the point where a good laminar flow can be achieved without excessive splash?				
6. Is the sample tap and area around the sample tap clean and dry (free of animal droppings, other contaminants or spray irrigation systems)				
7. Is the area around the sample tap free of excessive vegetation or other impediments to sample collection				
8. Describe how the tap was treated in preparation for sample collection (ran water, swabbed with disinfectant, flamed, etc.)				
9. Is this sample tap designated on the sampling plan submitted with this information request?				
10. What were the weather conditions at the time of the positive sample (rainy, windy, sunny),				

POSITIVE TOTAL COLIFORM INVESTIGATION

Page 3 of 3

GENERAL OPERATIONS:	Response
1. Where there any power outages that affected water system facilities during the 30 days prior to the TC+ or EC + findings?	
2. Where there any main breaks, water outages, or low pressure reported in the service area where TC+ or EC+ samples were located.	
3. Does the system have backup power or elevated storage?	
4. During or soon after bacteriological quality problems, did you receive any complaints of any customers' illness suspected of being waterborne? How many?	
5. What were the symptoms of illness if you received complaints about customers being sick?	

ADDITIONAL INFORMATION TO BE SUBMITTED WITH RESPONSES TO THE ABOVE QUESTIONS

1. Sketch of System showing all sources, treatment locations, storage tanks, microbiological sampling sites and general layout of the distribution system including the location of all hazardous connections such as the wastewater treatment facility.
2. A set of photographs of the well, pressure tanks, and storage tanks in the system may be submitted if they would show that the contamination is directly related and changes have been made since the last inspection by our Department
3. Name, certification level and certificate number of the Operator in Responsible Charge.
4. Copy of the last cross connection survey performed that identifies the location of all unprotected cross connections.

SUMMARY: BASED ON THE RESULTS OF YOUR INVESTIGATION AND ANY OTHER INFORMATION AT YOUR DISPOSAL, WHAT DO YOU BELIEVE TO BE THE CAUSE OF THE POSITIVE TOTAL COLIFORM SAMPLES FROM YOUR PUBLIC WATER SYSTEM?

CERTIFICATION: I CERTIFY THAT THE INFORMATION SUBMITTED IN RESPONSE TO THE QUESTIONS ABOVE IS ACCURATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE

NAME: _____ TITLE: _____ DATE: _____